

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DIANE L. BOYD,

Plaintiff,

v.

WALMART,

Defendant.

Case No. 2:24-cv-0275-DJC-JDP (PS)

ORDER TO SHOW CAUSE

On January 15, 2025, defendant filed a motion to dismiss this case for plaintiff's failure to prosecute. ECF No. 20. To date, plaintiff has not responded to defendant's motion.

Under the court's local rules, a responding party is required to file an opposition or statement of non-opposition to a motion no later than fourteen days after the date it was filed. E.D. Cal. L.R. 230(c). To manage its docket effectively, the court requires litigants to meet certain deadlines. The court may impose sanctions, including dismissing a case, for failure to comply with its orders or local rules. *See Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110; Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005); *Carey v. King*, 856 F.2d 1439, 1440-41 (9th Cir. 1988). Involuntary dismissal is a harsh penalty, but a district court has a duty to administer justice expeditiously and avoid needless burden for the parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); *Fed. R. Civ. P. 1*.

1 The court will give plaintiff the opportunity to explain why sanctions should not be  
2 imposed for failure to file an opposition or statement of non-opposition to defendant's motion.  
3 Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and  
4 will result in dismissal of this action.

5      Accordingly, it is hereby ORDERED that:

6           1. The February 20, 2025 hearing on defendant's motion is continued to March 20, 2025,  
7 at 10:00 a.m., in Courtroom No. 9.

8           2. By no later than March 6, 2025, plaintiff shall file an opposition or statement of non-  
9 opposition to defendant's motion.

10       3. Plaintiff shall show cause, by no later than March 6, 2025, why sanctions should not be  
11 imposed for failure to timely file an opposition or statement of non-opposition to defendant's  
12 motion.

13           4. Defendant may file a reply to plaintiff's opposition, if any, no later than March 13,  
14           2025.

IT IS SO ORDERED.

Dated: February 18, 2025

  
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**JEREMY D. PETERSON**  
**UNITED STATES MAGISTRATE JUDGE**